

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE : BANKRUPTCY NO. 07-11810  
: CHAPTER 7  
FRANK GEORGE MCALEESE, DEBTOR :

**MEMORANDUM**

The Bankruptcy Law now requires that 180 days before a person files bankruptcy, he must have taken a course in credit counseling. The practice is that the prospective debtor in bankruptcy takes the credit counseling course, then obtains the certificate thereof and then files both when he files the bankruptcy petition. If the party does not take the credit counseling course before the bankruptcy filing, he is not eligible to be a debtor in bankruptcy.

On November 28, 2007 the Court allowed Frank George McAleese an additional 15 days to take the credit counseling course and file a certificate thereof. The Court really had no authorization to allow an extra 15 days, but the Court was trying to accommodate Mr. McAleese's desire to be a debtor in bankruptcy.

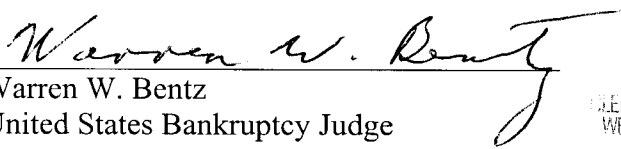
Mr. McAleese has never filed the certificate of taking the credit counseling course. Instead, he filed a certificate of debtor education with regard to a course in personal financial management, which is not the same as credit counseling.

In view of the above, it would appear that this bankruptcy case should be dismissed. Mr. McAleese may bear in mind that after dismissal of the case, he can file again after taking the credit counseling course.

If Mr. McAleese can give any reason why this case should be kept open, the Court would be pleased to review it.

The Court will await word from Mr. McAleese as to how he elects to proceed, but only until February 6, 2008.

Dated: January 22<sup>nd</sup>, 2008

  
Warren W. Bentz  
United States Bankruptcy Judge

**FILED**  
JAN 22 2008  
CLERK, U.S. BANKRUPTCY COURT  
WEST. DIST. OF PENNSYLVANIA  
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